

### REMARKS

Applicants note with appreciation the withdrawal of the rejection of claims 1-3 and 10-12 under 35 U.S.C. §103(a) over Sperry '847 (U.S. Pat. No. 5,255,847) in view of Schmitter (U.S. Pat. No. 5,129,580).

However, the remaining rejections based on Sperry '848 (U.S. Pat. No. 5,996,848), alone or in combination with Sperry '847, have been maintained for the reasons set forth in the previous Office Action mailed February 25, 2003. In response, Applicants maintain that the claims are patentable over Sperry '847 and '848 for the reasons set forth in Applicants' amendment filed June 16, 2003. The purpose of this communication is to respond to the Examiner's arguments as set forth in part 9 of the Feb. 25, 2003 Office Action, under the heading "Response to Arguments."

In Applicants' June 16, 2003 amendment, claims 1 and 10 were amended to specify that the outlet ports of the valving rod direct cleaning solvent "radially outwards ... and against said interior surface of said discharge port when said valving rod is in said closed position...."

Applicants pointed out that this feature is neither taught nor suggested in Sperry '848. In part 9 of the Office Action, the Examiner responded to this assertion by pointing out that

Sperry '848, column 37, lines 11-15 recited "Solvent 310 ... where upon it flows radially out through ports 234 and 236...".

Applicants agree that Sperry '848 discloses the foregoing passage. However, claims 1 and 10 do not merely specify that the outlet ports direct solvent radially outwards. Rather, those claims were amended to specify that the solvent is directed against the interior surface of the discharge port when the valving rod is in the closed position. The Sperry '848

dispenser does not direct solvent radially outwards against the interior surface of the discharge port (opening 153) as claimed. Instead, when the Sperry '848 mixing chamber defining member 218 is in the non-dispensing position, chemical injection ports 234 and 236 are positioned above the corresponding chemical internal passageways 176 and 178, and are therefore also positioned well above the opening/discharge port 153 at the discharge end of main body 148 (as shown in FIG. 28 and described at col. 31, lines 25-27). Solvent thus contacts the opening/discharge port 153 by flowing downwards out of the chemical injection ports 234 and 236 (col. 37, lines 26-45). This is far different, and far less effective, than precisely directing the solvent radially outwards and directly against the surface where the solvent has been found to be needed most, i.e., against the interior surface of the discharge port, as recited in claims 1 and 10. Accordingly, Applicants respectfully submit that claims 1 and 10, as well as the claims that depend therefrom, are patentably distinct from Sperry '848.

Also at part 9 of the Office Action, claim 20 is discussed, with the Examiner clarifying that

Sperry '847 was not relied upon for the internal reservoir. Instead, Sperry '848 was relied upon for the fluid dispenser as recited in claims 10-15 and 17-20 including the internal reservoir (refer back to paragraphs 4 & 7).

Applicants appreciate this clarification, and will now compare the dispenser described in claim 20 with that which is disclosed in Sperry '848. Claim 20 describes a dispenser having a "conduit providing fluid communication between said internal reservoir and said discharge port to deliver cleaning solvent to said discharge port, said conduit positioned externally of said internal chamber." (See, e.g., FIGS. 22 and 23 of

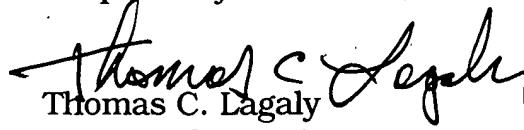
Applicants' disclosure.) In contrast, the dispenser disclosed in Sperry '848 has no such external conduit. As shown in FIG. 28 and described at col. 36, lines 56-62 and col. 37, lines 10-49, Sperry '848 discloses an initial solvent supply area 312. However, solvent from this area is delivered internally within the dispenser and not via a conduit positioned externally of the dispenser as recited in claim 20. Some solvent flows outward through access ports 184, 186 to the exterior of the housing, but such solvent flows down along the surface 152 of the housing and not through a conduit as claimed (col. 38, lines 48-52). Accordingly, claim 20 is patentable over the combination of Sperry '847 and Sperry '848 because such combination does not teach or suggest all of the elements of claim 20.

Finally, for the sake of completeness, claim 10 will be discussed in light of the rejection of that claim over the combination of Sperry '847 and Sperry '848. As noted above, claim 10 has been amended to specify that the outlet ports of the valving rod direct cleaning solvent "radially outwards ... and against said interior surface of said discharge port when said valving rod is in said closed position...." Such a feature, as discussed at length above, is neither taught nor suggested in Sperry '848 (and is similarly absent from Sperry '847). Accordingly, claim 10 and the claims that depend therefrom are patentable over the combination of Sperry '847 and Sperry '848 because such combination does not teach or suggest all of the elements of claim 10.

For all of the foregoing reasons, Applicants submit that all of the claims as currently presented are patentably distinct from the references

of record and are, therefore, in condition for allowance. A Notice of Allowance is earnestly solicited.

Respectfully submitted,



Thomas C. Lagaly  
Attorney for Applicants  
Registration No. 34,652

Sealed Air Corporation  
P.O. Box 464  
Duncan, SC 29334  
(864) 433-2333

DEC. 23, 2003

Date